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dryness, this little work of Professor Gray's would be a refreshing revelation. The peculiar nature of the book, combining, as it does, an argument for justice with a collection of the many authorities into one, has given an opportunity for a piece of animated writing, and a demonstration that a law book may be at once both profound and readable.

H. W.

A TREATISE ON LAND TITLES IN THE UNITED STATES. By Lewis N. Dembitz of the Louisville Bar. St. Paul, Minn.: West Publishing Co. 1895. 2 vols. pp. xvi, viii, 1655.

The present work is the result of three years' constant industry on the part of the author; and the result justifies the labor. It would, however, be more accurately styled a "Digest" than a "Treatise." So far as can be judged by a rapid examination, the author has striven to state clearly and with precision the principles for which the multitude of cases on the subject of Land Titles stand, but has with equal care kept his own individuality in the background. Rarely does he defend or attack a particular doctrine or give us a clue to his own preference. As a digest it is hard to take exception to the two volumes the author has given us; and he may well be content to let it stand as he describes it in his Preface, "his last work." We cannot but admire the painstaking thoroughness which the author displays, and which has enabled him to collect the decisions and statutes of over forty States on so comprehensive a subject, and present them in well classified arrangement.

It is essential to the helpfulness of the work that its scope be fully understood. In the first place, it is a digest of the American law only of Land Titles, and but few English cases are included. It therefore contains next to nothing of mediæval and obsolete law of real property, but deals with the law in its modern shape with little attempt to trace its development. Topics too not directly bound up with the subject of title to land are excluded. Under this head fall the law of easements and of fixtures, and the discussion of remedies by which possession of land is regained. Trusts of land is another topic dealt with only in a summary manner; and the reader is referred to other authorities for a fuller discussion. On the other hand, "Title out of the Sovereign," "The Registry Laws," "Judgments affecting Land," and "Title by Judicial Process," receive in as many different chapters a fuller treatment than is accorded them elsewhere. "Title by Prescription" is excellently treated at length.

Adverse criticism must of course be made on some points. For instance, there is no mention of the various rules for determining the division among riparian owners of land formed by accretion; under the subject of "Deeds," the old indiscriminating distinction is made between "latent" and "patent" ambiguities, and extrinsic evidence is said to be admissible to interpret the deed in the former case, but not in the latter; in the chapter on "Title by Prescription," under the head of "Tacking," the case of *Fanning v. Wilcox*, 3 Day, 258, is cited in support of the rule that "transfer of land with delivery of possession is enough to justify tacking," although it is really one of the very infrequent authorities for the doctrine that successive disseisors may tack. Such defects are however minor.

The author in an appended note (p. 1458) expresses the hope that, by the demonstration of the diversity and uncertainty of American law on

questions affecting land titles which his work affords, some impetus may be given toward concerted effort to remove these defects. To this hope we give a hearty *Amen!*

E. R. C.

PRINCIPLES OF THE ENGLISH LAW OF CONTRACT AND OF AGENCY IN ITS RELATION TO CONTRACT. By Sir William R. Anson, Bart., D. C. L. Eighth Edition. First American Copyright Edition. By Ernest W. Huffcut, Professor of Law at Cornell University. Macmillan & Co., New York and London. 1895. pp. lxii, 456.

The text is that of the English author's eighth edition (1895). It is the same as that of the seventh edition, except for a few minor alterations necessitated by two recent English acts, the Sale of Goods Act, and the Married Women's Property Act of 1893. Few new English cases are cited. Professor Huffcut cites parallel American cases where the American and English authorities are in accord, and indicates carefully all points on which the American authorities are in conflict, either with each other or with the English cases. In his note, however, on the American view of the doctrine of *Scotson v. Pegg* (6 H. & N. 295), and *Shadwell v. Shadwell* (9 C. B. N. S. 159), as to a promise to perform an existing contract with a third person, he fails to notice the very recent case of *Abbott v. Doane* (163 Mass. 433), the only American case which directly supports the English doctrine. Certain cases also, which he cites in support of the American view, are by no means universally admitted to be in point. The citations in connection with Anson's short chapter on Agency and Quasi-Contracts are not numerous. Perhaps it is better so, as Anson's treatment of either subject is meagre. The volume is altogether the most valuable edition of Anson for American students that has yet appeared.

H. C. L.

HUFFCUT ON AGENCY. By Ernest W. Huffcut, Professor of Law in Cornell University School of Law. Boston: Little, Brown, & Co. 1895. pp. xlviii, 234.

The author limits the scope of his treatise to the law of agency "as related to contract." He defines an agent as one who brings his principal into contractual relations with a third party, and excludes from his volume all consideration of the law of master and servant; arguing that "the law governing master and servant belongs to that branch of the law of obligation having to do with torts generally," and that "the same reasons that lead to a separate treatment of contract and tort lead to a separate treatment of agents and servants." It is rather hard to follow this reasoning, and still more difficult to see just how the author derives any advantage from this method of treating the subject. His readers are likely to be disappointed at this total omission of the law of master and servant, which is so analogous to and so generally associated with the law of principal and agent. Aside from this, the book should meet with general approval. It supplies a much felt want for a brief reliable treatise on the law of agency.

Mr. Huffcut's statements are almost uniformly accurate, though his phraseology is original. His citation of authorities is full and general, though he seems to favor recent cases affirming rather than the leading cases establishing the law. On controverted points both sides of the question are fully and carefully presented, and his statements of principles are clear and discriminating. The chapters on Ratification and